



PART TEN: STREETS, UTILITIES AND PUBLIC SERVICES CODE

TITLE FOUR - Utilities

- Chap. 1040. Sanitary Regulations.
- Chap. 1042. Sewers.
- Chap. 1044. Water Connections, Fees, Permits and Billings.
- Chap. 1046. Water System Use.
- Chap. 1048. Backflow; Cross-Connection Control.
- Chap. 1050. Property Owners.
- Chap. 1052. Meters.
- Chap. 1054. Dry Water and Sewer Taps.
- Chap. 1056. Water Availability During Emergencies.

TITLE SIX - Other Public Services

- Chap. 1080. Solid Waste.
- Chap. 1082. Street Lighting.





TITLE FOUR - Utilities

- Chap. 1040. Sanitary Regulations.
 - Chap. 1042. Sewers.
 - Chap. 1044. Water Connections, Fees, Permits and Billings.
 - Chap. 1046. Water System Use.
 - Chap. 1048. Backflow; Cross-Connection Control.
 - Chap. 1050. Property Owners.
 - Chap. 1052. Meters.
 - Chap. 1054. Dry Water and Sewer Taps.
 - Chap. 1056. Water Availability During Emergencies.
-

CHAPTER 1040

Sanitary Regulations

- | | | |
|---|---------|------------------------------|
| 1040.01 Inspections required. | 1040.04 | Cleaning; disposal of waste. |
| 1040.02 Private facilities prohibited when
public available. | 1040.99 | Penalty. |
| 1040.03 Prevention of offensive odors. | | |



CROSS REFERENCES

Power to provide and regulate water systems - see Ohio R.C. 715.08, 717.01, 743.01

Water pollution - see Ohio R.C. 715.08, 743.24

Compulsory water connections - see Ohio R.C. 729.06, 743.23



§ 1040.01 INSPECTIONS REQUIRED

Any septic tank, leach bed or grease constructed trap installed or constructed by any party within the corporate limits of the Village of Commercial Point, Ohio, from and after the date of the passage of

this section shall be inspected or examined for approval or rejection before completion or use by the Board of Health of Pickaway County, Ohio, the Council of the Village of Commercial Point, Ohio, or any duly authorized party or committee appointed by Council to perform the duty.

(Ord. 1-66, passed 7-5-1966)

§ 1040.02 PRIVATE FACILITIES PROHIBITED WHEN PUBLIC AVAILABLE.

(a) No owner, agent, lessee, tenant or occupant of any lot or land located within the village shall establish, construct, maintain or permit to remain a privy, cesspool or other receptacle for sewage or excreta or a connection to a private sewer, ditch or other outlet, if such lot or land is accessible to a public sewer constructed and used for the purpose of conveying sewage and if a public water main or other water supply satisfactory to permit use of plumbing is available.

(b) When such public sewer and water main or other water supply are available or are hereafter made available, a connection to such public sewer shall be established and used by such owner, agent, lessee, tenant or occupant.

(c) Upon notification by certified mail service from the village, such owner, agent, lessee, tenant or occupant shall have three months to make the connection to such public sewer and otherwise comply in all respects with this section.

(Ord. 1500.12, passed 1- -1976)



§ 1040.03 PREVENTION OF OFFENSIVE ODORS.

No person, being the owner, lessor, occupant or person in charge of any premises upon which a privy vault, cesspool or septic tank is located shall permit such vault, pool or tank or any building, fixture or device appurtenant thereto, to become foul, noisome, filthy or offensive to neighboring property.

(Ord. 1500.12, passed 1- -1976)

§ 1040.04 CLEANING; DISPOSAL OF WASTE.

(a) Whenever any part of the waste in any privy vault or cesspool extends to a point less than two feet below the surface of the ground adjacent thereto, or whenever use of any such vault or cesspool is abandoned or where such use or maintenance is prohibited by an ordinance or health order, the owner, lessor, occupant or person in charge of such premises shall cause such vault or cesspool to be emptied of its contents, thoroughly cleaned and disinfected, and if abandoned, to be filled with clean earth or mineral matter to the level of the adjacent ground.

(b) Upon notification by certified mail service from the village, such owner, agent, lessee, tenant or occupant shall have 14 days to perform such cleaning and disposal and otherwise comply in all respects with this section.

(Ord. 1500.12, passed 1- -1976)

§ 1040.99 PENALTY.

(a) *Inspections.* Any party convicted of violating § 1040.01 shall be fined not more than fifty



dollars (\$50.00) for each offense and a separate offense shall be deemed to have been committed each period of 24 hours such violation shall continue after the date of the original conviction.
(Ord. 1-66, passed 7-5-1966)

(b) *Sections 1040.02, 1040.03, and 1040.04.* Any person, firm or corporation violating any of the provisions of §§ 1040.02, 1040.03, or 1040.04 shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in an amount not exceeding one hundred dollars (\$100.00). Each day such violation is committed or permitted to continue, shall constitute a separate offense and shall be punishable as such hereunder.
(Ord. 1500.12, passed 1- -1976)



CHAPTER 1042

Sewers

- | | | | |
|---------|--------------------------------|---------|------------------------------------|
| 1042.01 | Purpose. | 1042.10 | Owner to bear costs. |
| 1042.02 | Governing regulations. | 1042.11 | Separate connection required for |
| 1042.03 | Definitions. | | each building. |
| 1042.04 | Connection with public sewer | 1042.12 | Sewer service charges; billing; |
| | required. | | liability. |
| 1042.05 | Storm water prohibited in | 1042.13 | Inspection. |
| | sanitary sewers. | 1042.14 | Tampering with sewage works. |
| 1042.06 | Storm sewer use required. | 1042.15 | Industrial cost recovery. |
| 1042.07 | Licensing of sewer tappers and | 1042.16 | Certain sanitary sewer connections |
| | contractors; fees. | | prohibited. |
| 1042.08 | Sewer connections; permit | | |
| | required; inspection; fee. | 1042.99 | Penalty. |
| 1042.09 | Grease, oil and sand | | |
| | interceptors. | | |



CROSS REFERENCES

Compulsory sewer connections - see Ohio R.C. 729.06

Sewerage rates - see Ohio R.C. 729.49

Regulations to control house sewers and connections - see Ohio R.C. 729.51

Interference with sewage flow - see Ohio R.C. 4933.24

§ 1042.01 PURPOSE.

The purpose of this chapter is to establish the procedures, requirements, and costs for connecting to the sewers in the Village of Commercial Point, Ohio.

(Ord. 1700.01, passed - -)

§ 1042.02 GOVERNING REGULATIONS.

Where there appears to be, or there is in fact, a conflict between this chapter and Chapter 1, Drainage and Sewerage System Use, the chapter providing the more stringent requirement, criteria, standard or procedure shall govern.

(Ord. 1700.01, passed - -)

§ 1042.03 DEFINITIONS.

The definitions of Chapter 1 shall be used in this chapter unless the context of any section of this chapter specifically indicates that such definitions are not applicable.

(Ord. 1700.01, passed - -)



§ 1042.04 CONNECTION WITH PUBLIC SEWER REQUIRED.

The owners of all houses, buildings or properties used for human occupancy, employment, or recreation, situated within the village and abutting on any street, alley or right of way in which there is located a public sanitary sewer of the village, are hereby required to install in conformance with the building code, toilet facilities therein, and to connect such facilities directly with the public sewer within 60 days after the date of mailing of official notice to do so, provided that the public sewer is within 100 feet of the property line.

(Ord. 1700.01, passed - -; Am. Ord. 1700.013, passed 2-1-1982)

§ 1042.05 STORM WATER PROHIBITED IN SANITARY SEWERS.

No person, corporation or entity being the owner, tenant, or in possession of real property within the village shall do or permit to be done the following on or from such property:

(a) Discharge, cause to be discharged or permit to be discharged any storm water, ground water, surface water, roof water runoff, subsurface drainage water, cooling water or unpolluted industrial process waters into a sanitary sewer line of the village;

(b) Install, cause to be installed or with knowledge thereof, permit to exist a sewer tap pipe or other obstruction which protrudes into or otherwise obstructs a sanitary sewer line of the village; or

(c) With knowledge thereof cause or permit to exist, a root obstruction in a sanitary sewer line of the village, which root obstruction comes or came from a tree or vegetation on such property. As used herein, knowledge shall be presumed upon service of written notice as stipulated in Section 1.15.



(Ord. 1700.01, passed - -)

§ 1042.06 STORM SEWER USE REQUIRED.

Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers or to a natural outlet approved by the village. Industrial cooling water or unpolluted process waters may be discharged to a storm sewer or natural outlet.

(Ord. 1700.01, passed - -)

§ 1042.07 LICENSING OF SEWER TAPPERS AND CONTRACTORS; FEES.

Missing material.....

(Ord. 1700.01, passed - -)

§ 1042.08 SEWER CONNECTIONS; PERMIT REQUIRED; INSPECTION; FEE.

(a) Missing material.....

(b) *Wastewater tap fees.*

(1) The owner of any lot or plot of ground which is improved by building thereon which is required by law to connect into the sewerage system of the village, shall make application to the Administrator for a connection permit and shall pay a connection fee.

(2) A. A sewer tap fee shall be paid by any person or entity for each new service connection to the village sewer system.



B. The tap fee shall be paid at the time of filing the application to make the service charge.

C. The sewer tap fee shall be \$5,000.00 or \$12.50 per gallon of standard strength sewage discharged in one average day, whichever is greater. The average daily gallonage shall be determined by the following schedule.

<i>Schedule of Average Day Gallonage</i>	
<i>Place or Use</i>	<i>Gallonage Per Day</i>
Apartments (Condominiums)	250 one bedroom
	400 two bedroom
	400 three bedroom or more
Assembly halls	2 per seat
Bowling alleys; no food service	75 per lane
Churches, small	3-5 per sanctuary seat
Churches, large, with kitchen *note (a)	5-7 per sanctuary seat
Country clubs *note (a) and (c)	50 per member or 35 per seat at 400 ppm BOD
Dance halls	2 per person
Drive-in theaters	5 per car space
Factories and warehouses, no showers	25 per employee
Factories and warehouses, with showers	35 per employee



<i>Schedule of Average Day Gallonage</i>	
<i>Place or Use</i>	<i>Gallonage Per Day</i>
Food service operations	
Ordinary restaurant, not 24 hour *note (a)	35 per seat at 400 ppm BOD
24-hour restaurant *note (a)	50 per seat at 400 ppm BOD
Banquet rooms *note (a)	2 per seat at 400 ppm BOD



<i>Schedule of Average Day Gallonage</i>	
<i>Place or Use</i>	<i>Gallonage Per Day</i>
Restaurant, along freeway *note (a)	100 per seat at 400 ppm BOD
Tavern, very little food service *note (a)	35 per seat at 400 ppm BOD
Curb service, drive-in *note (a)	50 per car space at 400 ppm BOD
Vending machine restaurants	100 per seat at 200 ppm BOD
Hospitals, no resident personnel	300 per bed
Institutions, residents	100 per person
Laundries, coin operated	400 per machine std. size
Laundry wastes require special consideration	Consult Village Administrator
Motels	100 per unit
Nursing and rest homes	150 per patient
	100 per resident employee
	50 per nonresident employee
Office buildings *note (c)	20 per employee or 0.2 per sq. ft. of floor space
Schools: elementary	15 per pupil
High and junior high	20 per pupil
Service stations *note (b)	1,000 per first bay
	500 per each additional bay
Shopping Centers	
Without food service or laundries	0.2 per sq. ft. of floor space



<i>Schedule of Average Day Gallonage</i>	
<i>Place or Use</i>	<i>Gallonage Per Day</i>
Single-family dwellings, one family per building	400 per family
Swimming pool, average	3-5 per swimmer, design load
With hot water shower	5-7 per swimmer, design load
Trailer parks	400 per trailer space
Travel trailer dumping stations at service stations	Consult Administration
Travel trailer parks and camps	125 per trailer or tent space
Youth and recreation camps	50 per person
*Note (a) Connection fees for 400 ppm BOD sewage shall be doubled.	
*Note (b) Truck parking areas will require consideration for treatment of run-off at large truck stops.	
*Note (c) The gallons per day that requires the largest treatment capacity shall be used to compute the connection fee.	

(c) Missing material.....

(d) Missing material.....

(e) Missing material.....

(f) Missing material.....

(g) (1) The building sewers shall be a minimum of six inches in diameter and installed per the



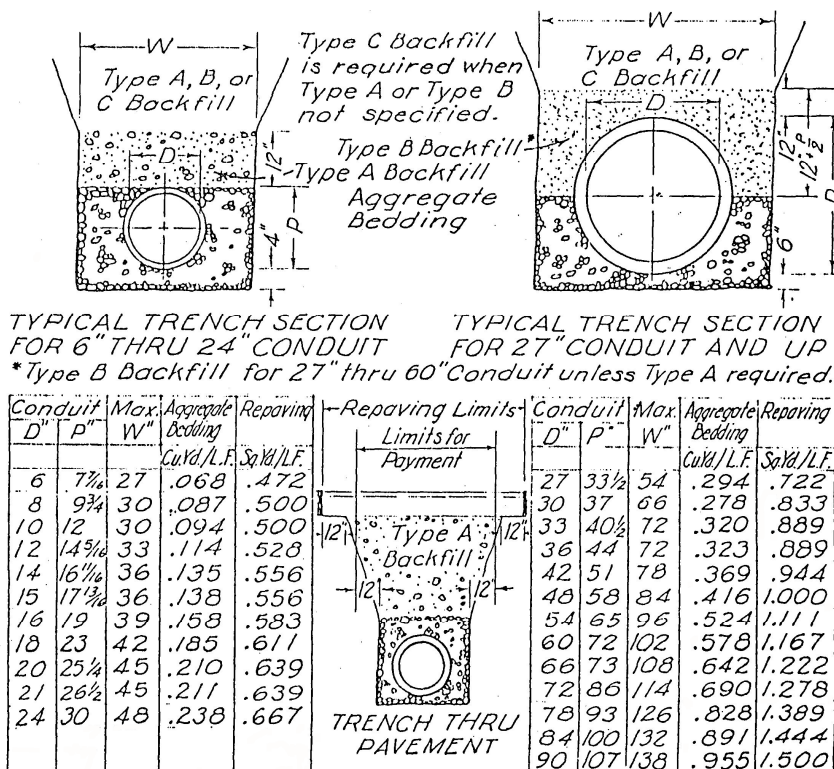
standard drawings.

(2) Prior to acceptance by the Administrator, the building sewer shall pass a low pressure air test as follows:

The time for the pressure to drop from 3.0 psi to 2.5 psi must be greater than four minutes for six inch sewers and five minutes six seconds for eight inch sewers.

Typical Trench Sections with Type I Bedding

Backfill numbers refer to State of Ohio, Department of Transportation, Construction and Material Specifications.
Type A backfill shall be granular material suitable for bedding, compacted as stipulated in 603.08, as applicable. Granular material shall be used around manholes, structures and cleanouts.
Type B backfill shall be natural soil free from stones larger than two inches across their greatest dimension, topsoil, vegetation, debris, rubbish or frozen material, compacted to 95% of its maximum laboratory dry weight.
Type C backfill shall be natural soil, free from stones larger than six inches across their greatest dimension, vegetation, debris, rubbish or frozen material compacted to 90% of its maximum laboratory dry weight. When approved by the engineer, rocks no larger than one cubic foot may be deposited at least three feet above the top of the sewer.
Aggregate for bedding is m 57, m 6, m 67, m 68, m 7, m 78 or m 8 Item 703.
The excavated trench width 12 inches above the conduit may be increased without extra compensation.



(Ord. 1700.01, passed - -; Am. Ord. 11-91.2, passed 2-3-1992; Am. Ord. 1700.012, passed 7-6-1981; Am. Ord. 96.12, passed 10-7-1996; Am. Ord. 97.10, passed 12-1-1997; Am. Ord. 99.14, passed 11-6-2000; Am. Ord. 04-8, passed 5-3-2004; Am. Ord. 2006-16, passed 10-2-2006; Am. Ord. 2007-42, passed 11-12-2007)



§ 1042.09 GREASE, OIL AND SAND INTERCEPTORS.

Missing material.....

(Ord. 1700.01, passed - -)

§ 1042.10 OWNER TO BEAR COSTS.

Missing material.....

(Ord. 1700.01, passed - -)

§ 1042.11 SEPARATE CONNECTION REQUIRED FOR EACH BUILDING.

Missing material.....

(Ord. 1700.01, passed - -)

§ 1042.12 SEWER SERVICE CHARGES; BILLING; LIABILITY.

<i>Rate Code</i>	<i>Charge</i>
SCO1	\$394.34
SCO4	\$69.55
SCO5	\$933.98
SCO6	\$119.23
SWCO - 324	\$11,592.72
SWR2	\$53.67



SWR3	\$59.97
SWRR	\$26.50
SWSC	\$35.78

(a) The sewer service charges of the Village of Commercial Point shall be based and calculated on the volume of wastewater discharged directly or indirectly into the sewer system, which shall be measured by the water used by each sewer user as shown by water meter or meters. On premises using water supplied from sources other than the village water distribution system, the quantity of water consumed thereon each month shall be considered to be 5,000 gallons, which is the minimum number of gallons set forth in division (b) of this section.

(b) The sewer service charges of the Village of Commercial Point shall be the charges and rates set forth in the table below:

<i>Minimum Purchase Per Month</i>	<i>Village Minimum Bill Per Month</i>	<i>Village Additional Purchase Rate Per Gallon of Water Used</i>	<i>Township Minimum Bill Per Month</i>	<i>Township Additional Purchase Rate Per Gallon of Water Used</i>
5,000 Gallons	\$27.00	\$0.0054	\$36.45	\$0.0073

(c) When accurate meter readings cannot be obtained at the time of a scheduled meter reading, or where necessary for administrative purposes, the quantity of water used may be estimated for sewer billing purposes. Estimated usage will be based upon actual meter readings from prior cycles or by such other fair and reasonable methods. Where unmetered wastewater is discharged to the sewer system without adequate sewer metering, the village reserves the right to



bill the amount of flow based upon its engineering judgment of a reasonable estimate of unmetered usage. Where the usage is estimated because of inability to read the meter, any necessary corrections shall be made at the time of the next actual meter reading or when appropriate. The village may modify any sewer service charge as set forth in this section if the property owner demonstrates to the village that the water or waste water measured by the owner=s meter is greater than that actually being discharged directly or indirectly into the village sewer system, but no charge resulting from any such modification shall be less than the amount of the minimum bill per month set forth in this section.

(d) Each sewer charge levied pursuant to this chapter is made a lien upon and against the premises charged, and if the charge is not paid within 30 days after it becomes due and payable, it shall be certified by the Village to the Auditor of Pickaway County, Ohio, who shall place the charge on the tax list and duplicate with the interest and penalties provided by law, to be collected as other municipal taxes are collected.

(Ord. 1700.01, passed - -; Am. Ord. 1700.011, passed 12-8-1980; Am. Ord. 1700.014, passed 4-5-1982; Am. Ord. 1700.16, passed 6-1-1987; Am. Ord. 96.07, passed 5-6-1996; Am. Ord. 01-3, passed 3-5-2001; Am. Ord. 01-15, passed 12-3-2001; Am. Ord. 04-26, passed 11-15-2004; Am. Ord. 2005-23, passed 12-5-2005; Am. Ord. 2006-15, passed 10-2-2006)

§ 1042.13 INSPECTION.

Missing material.....

(Ord. 1700.01, passed - -)

§ 1042.14 TAMPERING WITH SEWAGE WORKS.

Missing material.....



(Ord. 1700.01, passed - -)

§ 1042.15 INDUSTRIAL COST RECOVERY.

Missing material.....

(Ord. 1700.01, passed - -)

§ 1042.16 CERTAIN SANITARY SEWER CONNECTIONS PROHIBITED.

No roof drains, foundation drains, water pipes, or other clean water drains from any residence or building within the Village of Commercial Point shall be connected directly to the sanitary sewers as constructed and a part of the general sanitary sewerage treatment program and related facilities.

(Ord. 1800.03, passed 8-2-1975)

§ 1042.99 PENALTY.

(a) Missing material.....

(Ord. 1700.01, passed - -)

(b) *Certain sanitary sewer connections prohibited.*

(1) Any person, firm or corporation violating any of the provisions of § 1042.16 shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in an amount not exceeding fifty dollars (\$50.00).

(2) Each day such violation is committed or permitted to continue, shall constitute a



separate offense and shall be punishable as such hereunder.

(Ord. 1800.03, passed 8-2-1975)

(c) Section 1042.08.

(1) No person or entity shall make a service connection or any part thereof to the sanitary sewer system or water system of the Village of Commercial Point unless the proper tap fee or fees have been paid and a permit has been issued by the village to make the service connection to the village sewer or water system.

(2) Whoever violates § 1042.08 is guilty of a misdemeanor of the first degree and shall be fined not more than one thousand dollars (\$1,000.00).

(Ord. 1800.03, passed 8-2-1975; Am. Ord. 2006-16, passed 10-2-2006; Am. Ord. 2007-42, passed 11-12-2007)



CHAPTER 1044

Water Connections, Fees, Permits and Billings

1044.01	Purpose.	1044.13	Bill and payment for services; remedies for non-payment.
1044.02	Governing regulations.	1044.14	Termination of service for delinquent accounts miscellaneous fees and charges.
1044.03	Definitions.	1044.15	Water service to village residents.
1044.04	Application for water or sewer service.	1044.16	Water service to non-village residents.
1044.05	Connection to the water system.	1044.17	Requirements of new connections outside village limits by developers.
1044.06	Owner to bear cost and to be responsible for service line.	1044.18	Requirements of new connections outside village limits by private property owners.
1044.07	Water connection tap.		
1044.08	Water meter; installation.		
1044.09	Temporary water service.		
1044.10	Inspection.		
1044.11	Repair of service lines.		
1044.12	Water service charges.		
		1044.99	Penalty.



CROSS REFERENCES

Power to provide and regulate water systems - see Ohio R.C. 715.08, 717.01, 743.01

Water pollution - see Ohio R.C. 715.08, 743.24

Compulsory water connections - see Ohio R.C. 729.06, 743.23



§ 1044.01 PURPOSE.

The purpose of this chapter is to establish the procedures, requirements, and cost for connecting to and making use of the village water system,
(Ord. 2100.05, passed 8-27-1984)

§ 1044.02 GOVERNING REGULATIONS.

Where there appears to be, or there is in fact, a conflict between this chapter and Chapter 1, General Provisions, the chapter providing the more stringent requirement, standard, or procedure shall govern.

(Ord. 2100.05, passed 8-27-1984)

§ 1044.03 DEFINITIONS.

The definitions of Chapter 1 shall be used in this chapter unless the context of any section of this chapter specifically indicates that such definitions are not, applicable.

(Ord. 2100.05, passed 8-27-1984)

§ 1044.04 APPLICATION FOR WATER OR SEWER SERVICE.

- (a) All applications for water or sewer service must be made on forms provided by the village.
- (b) Each application must state truly and fully the uses to be made of water or sewer service.
- (c) A separate application for service may be required for each premises.
- (d) Each application must be signed by the owner of the premises to be supplied water or



sewer service.

(Ord. 2100.05, passed 8-27-1984)

§ 1044.05 CONNECTION TO THE WATER SYSTEM.

(a) (1) All connections shall be made and maintained in accordance with county specifications and standards.

(2) No person shall:

A. Construct or connect a service line to the village systems until a permit has been issued by the village;

B. Connect a service line to more than one building or facility without the village=s prior approval; or

C. Install, cause to be installed or, with knowledge thereof, permit to exist a connection, tap pipe, or other obstruction which protrudes into or otherwise obstructs a village sewer or waterline.

(b) Prior to the issuance of the permit to install, the owner shall pay the connection fee, meter charge and inspection fee as provided for herein.

(c) (1) The payment of a connection fee does not relieve any person from the responsibilities enumerated in these regulations.

(2) No permit to connect property to a village system shall be issued nor shall any such



connection be made unless and until the fees herein imposed, along with all other charges and fees that pertain to that village system have been paid.



Water Connections, Fees, Permits and Billings

17

(d) (1) All tap permits shall become null and void, if not used within 90 days from the date of issuance.

(2) Upon application by the owner, 50% of the connection or tap fee and all inspection and meter fees shall be refunded after a permit becomes null and void.

(3) If not requested by the owner within one year of the date of issuance, no refund shall be made.

(Ord. 2100.05, passed 8-27-1984)

§ 1044.06 OWNER TO BEAR COST AND TO BE RESPONSIBLE FOR SERVICE LINE.

(a) (1) All costs and expenses incident to the installation and connection of service lines shall be borne by the owner of the property being connected to the village system.

(2) The owner shall indemnify the village from any loss or damage that may directly or indirectly be occasioned by the installation of any service line.

(b) (1) The customer shall be responsible for all leaks or blockage in a service line and shall, at his or her expense, construct, maintain and keep it in good repair.

(2) When leaks or other defects in a service line are discovered, the village may disconnect the service line.



(3) Except in cases of real emergency, however, the village shall give the customer notice of such difficulty and shall allow the customer reasonable time in which to have repairs made or other maintenance work accomplished.

(Ord. 2100.06, passed 8-27-1984)

§ 1044.07 WATER CONNECTION TAP.

(a) The owner of any lot or plot of ground who wishes to connect to a village water system shall first pay a connection fee and meter fee as established by the following table.

(b) Water connection fee.

<i>Water Connection/Capacity Fee Table</i>	
<i>Diameter of Tap</i>	<i>Connection</i>
3/4 inch	\$3,000
1 inch	\$5,250
1-1/2 inches	\$11,850
2 inches	\$14,000



<i>Water Connection/Capacity Fee Table</i>	
<i>Diameter of Tap</i>	<i>Connection</i>
3 inches	\$31,700
4 inches	\$56,000
6 inches	\$127,100
8 inches	\$227,300
<p>Note: Any water connection/capacity fee for a tap larger than one inch that is used for residential purposes, must have a master meter arrangement and shall only be permitted at the direction of the village, pursuant to terms of a water capacity agreement. In the event such arrangement is permitted the capacity fee shall be based on the number of residential units to be connected times \$3,000 per unit or the amount shown in the above table, whichever is greater.</p>	

(c) (1) When a service line is used for fire protection only, the water connection fees shall be reduced to 30% of the above rate.

(2) The service line for fire protection shall be separate from all other service lines.

(3) There shall not be any connection between a fire protection system and water system for domestic use.

(Ord. 2100.05, passed 8-27-1984; Am. Ord. 11-91.1, passed - - 1991; Am. Ord. 96.12, passed 10-7-1996; Am. Ord. 99.14, passed 11-6-2000; Am. Ord. 04-8, passed 5-3-2004)



§ 1044.08 WATER METER; INSTALLATION.

(a) The village will provide all water meters upon payment of the meter fee.

(b) All meter installations shall be inspected and approved by the village, prior to turning on the water.

(c) At least a 24-hour notice shall be given to the village for meter inspections.

(Ord. 2100.05, passed 8-27-1984)

§ 1044.09 TEMPORARY WATER SERVICE.

(a) (1) When temporary water service is requested for any purpose, the village shall make an estimate of the cost of installing and removing the facilities required for such service and the applicant for the service shall deposit with the village the amount of such estimate.

(2) When such temporary service is no longer desired and is discontinued, all facilities not thereafter usable shall be removed and the actual installation and removal cost shall be determined.

(3) The customer shall then be reimbursed for the amount of his or her deposit less the in-and-out cost determined as above.

(4) During the period of the temporary service, the customer shall also be liable for a service charge calculated in accordance with this chapter.

(b) (1) In lieu of the deposit as described in division (a) above, a fee of fifty dollars (\$50.00) shall be paid for the installation of a three-fourths inch meter on a service line for use by a contractor during the construction of a building.



(2) The contractor shall provide adequate support for the meter in a protected place.

(3) Failure of the contractor to provide proper care for the meter or misuse of or the damage to the meter may constitute grounds for removal of the meter and terminating the temporary service.

(4) The fifty dollars (\$50.00) shall cover the cost of the first 10,000 gallons of water used.

(5) Upon return of the meter in good repair, the contractor shall be refunded twenty-five dollars (\$25.00).

(Ord. 2100.05, passed 8-27-1984)

§ 1044.10 INSPECTION.

(a) All connections to a village system and the installation of all service lines shall be inspected by the village.

(b) (1) The connection fees includes the cost of an initial inspection and one repeat inspection or two hours of inspection by the village for each permit issued.

(2) Should more than the initial and one repeat inspection or more than two hours of inspection time be required because of failure of the owner, his or her contractor or authorized representative to install, maintain, repair, alter, or perform other works necessary to install the connection and service line in accordance with these regulations an additional fee of fifteen dollars (\$15.00) per hour, or increment thereof shall be charged for the time required to ensure compliance with these regulations.



(3) Such additional fees shall be paid prior to the final approval of the service line for which the permit was issued.

(Ord. 2100.05, passed 8-27-1984)

§ 1044.11 REPAIR OF SERVICE LINES.

(a) The owner of any lot or plot of ground which has a service line that has been tapped or connected to a village system but which requires maintenance, repair, alteration or other work to either eliminate the service line or to cause the service line to conform to these regulations shall perform or cause the performance of the necessary work.

(b) Prior to any work being performed the owner or his or her authorized representative shall notify the village.

(Ord. 2100.05, passed 8-27-1984)

§ 1044.12 WATER SERVICE CHARGES.

(a) The following water rate schedule shall be effective on January 1, 2007:

<i>Diameter of Tap</i>	<i>Minimum Purchase Per Month</i>	<i>Village Minimum Bill Per Month</i>	<i>Village Additional Purchase Rate Per Gallon</i>	<i>Township Minimum Bill Per Month</i>	<i>Township Additional Purchase Rate Per Gallon</i>
3/4 Inch	5,000 Gallons	\$27.00	\$0.0054	\$36.45	\$0.0073
1 Inch	8,871 Gallons	\$47.90	\$0.0054	\$64.67	\$0.0073
1-1/2 Inch	19,839 Gallons	\$107.13	\$0.0054	\$144.63	\$0.0073



2 Inch	35,161 Gallons	\$189.87	\$0.0054	\$256.32	\$0.0073
4 Inch	140,645 Gallons	\$759.48	\$0.0054	\$1025.3	\$0.0073
6 Inch	316,600 Gallons	\$1,709.64	\$0.0054	\$2308.01	\$0.0073
8 Inch	568,387 Gallons	\$3,069.29	\$0.0054	\$4143.54	\$0.0073

(b) The owner of the property which is served by the village system shall be liable for all charges for the service rendered that property.

(c) All bulk water sold by the Village of Commercial Point shall be at the rate of twenty dollars (\$20.00) per load, plus seven dollars (\$7.00) for each 1,000 gallons of water or part thereof. (Ord. 2100.05, passed 8-27-1984; Am. Ord. 2100.10, passed 8-1-1988; Am. Ord. 2100.11, passed 5-4-1992; Am. Ord. 8-92.1, passed 8-3-1992; Am. Ord. 96.07, passed 5-6-1996; Am. Ord. 01-3, passed 3-5-2001; Am. Ord. 01-15, passed 12-3-2001; Am. Ord. 04-26, passed 11-15-2004; Am. Ord. 2005-23, passed 12-5-2005; Am. Ord. 2006-29, passed 12-4-2006; Am. Ord. 2007-27, passed 7-2-2007)

§ 1044.13 BILL AND PAYMENT FOR SERVICES; REMEDIES FOR NON-PAYMENT.

(a) (1) All bills shall be due and payable on the date shown on the bill.

(2) When service to any premises is established on a date between billing dates, the bill shall be pro-rated between owners.

(b) Bills will be mailed to the owner at the address of the premises serviced unless the owner



requests, in writing, that they be sent to some other address specified by him or her.

(c) The failure to receive a bill shall not relieve the owner of the obligation to pay the same when due.

(d) Bills unpaid after the date shown on the bill shall be considered delinquent, and shall subject the premises to a 10% delinquency charge, to discontinuance of service, and other remedies of law.

(e) (1) The owner shall notify the village of any errors or discrepancies in the billing prior to the date the bill becomes delinquent.

(2) Failure to make such notification constitutes acceptance of the bill as mailed.

(Ord. 2100.05, passed 8-27-1984)

§ 1044.14 TERMINATION OF SERVICE FOR DELINQUENT ACCOUNTS; MISCELLANEOUS FEES AND CHARGES.

(a) *Termination of water service.* The village may terminate water and/or sewer services to any person or real estate using the village water and/or sewer system for the failure to pay any account or for a violation of any ordinance or rule and regulation promulgated pursuant to this chapter.

(b) *Notice of termination.* In the event that a customer fails to pay a utility bill by the fifteenth (15th) day of the month, the billing clerk shall send notice to the account holder of such delinquency with the next utility bill and shall inform such account holder that the village shall terminate supply of the public utility if the account remains delinquent and the entire balance due is not received by 12:00 p.m. (noon) on or before the fifteenth (15th) day of the month at the village offices located at 9 Belishazzer in the Village of Commercial Point, Ohio. The notice shall indicate the basis upon which service is being terminated and date after which service will be terminated if the violations are



not corrected, or applicable payment or payment agreements are not received by the village. The notice shall also indicate the hearing rights afforded to any person affected by the termination notice by which the person may contest the water and/or sewer service termination. The notice shall be mailed or hand delivered to the address of the customer of record and to the service address.

(c) *Hearing procedures.* Any affected person (an owner, occupant, resident or tenant of the affected property) desiring a hearing concerning a termination of water and/or sewer service under this section may request an informal hearing with the Mayor or official designated by the Mayor by submitting a written and signed request to the Fiscal Officer no later than five days after receipt of a termination notice. Failure of an affected person to file a request for hearing within the allotted five day period shall constitute a waiver by that person of their right to a hearing under this section. The Mayor or the official designated by the Mayor shall convene a hearing on the matter within ten days of receiving the request for hearing. If a hearing cannot be scheduled within this ten-day period, then the water service termination shall be automatically stayed, pending the holding of a hearing on this matter. The hearing procedure herein does not apply to those customers receiving notice of termination under division (e).

(d) *Termination of services.* If the account holder fails to pay the entire balance due by 12:00 p.m. (noon) on or before the fifteenth (15th) day of the month at the village offices in accordance with division (b) hereinabove, the Mayor, or his or her designee, shall cause the termination of the supply of the public utility to the delinquent account.

(e) *Payment agreements.*

(1) *Pre-termination payment agreement.* The Mayor and the billing clerk are hereby authorized to enter into a pre-termination payment agreement for the repayment of delinquent utility bills prior to termination of the municipal utility service. The Mayor or the billing clerk shall reduce



such agreement to writing, in the form attached to Ordinance 2007-28 as Exhibit 1, and incorporated herein. The maximum duration of a payment agreement under this division is a six-month period after the date of execution. The Mayor or the billing clerk are hereby authorized to terminate utility service within ten days of customer default on such payment agreement. Written notice of termination shall be mailed to customer.

(2) Post-termination payment agreement. The Mayor is hereby authorized to enter into a payment agreement for the repayment of delinquent utility bills after termination of the municipal utility service. The Mayor shall reduce such agreement to writing, in the form attached to Ord. 2007-28 as Exhibit 2, and incorporated herein. The customer shall pay a reinstatement fee when entering into a payment agreement herein, in addition to any delinquent amount on the account and any current utility bills which may be accumulated after reinstatement of the municipal utility service. Upon execution of a post-termination payment agreement, the Mayor or his or her designee shall cause the reinstatement of the customer's account and supply of the municipal utility service. The maximum duration of a payment agreement under this section is a six-month period after the date of execution. The Mayor, or his or her designee, is hereby authorized to terminate utility service within ten days of customer default on such payment agreement without additional notice to such customer. Written notice of termination shall be mailed to customer.

(f) *Reinstatement.* Upon payment of the delinquency and the entire balance due, or the execution of a payment agreement as provided for in division (e)(2), the Mayor, or his or her designee, may reinstate the account and supply of the public utility. The customer shall pay a reinstatement fee for water service of one hundred dollars (\$100.00) and for sewer service shall pay the actual cost incurred to disconnect and reinstate service or five-hundred dollars (\$500.00), whichever is more.

(g) *Miscellaneous fees and charges.*



(1) *Water meter replacement charge.* The water meter replacement charge shall be sixty dollars (\$60.00).

(2) *Relocate water meter/remote.* The charge to relocate the meter and/or remote due to obstruction of the meter and/or remote at the request of a customer shall be sixty dollars (\$60.00).

(3) *Inspection/installation fee.* The service charge to install or inspect a meter shall be sixty dollars (\$60.00).

(4) *Unauthorized use.* There shall be a service charge to investigate, notify or discontinue water service as a result of fraud, illegal diversion of water or unauthorized commencement of services. The village shall levy a charge of fifty dollars (\$50.00) for the first offense and one hundred dollars (\$100.00) for the second offense, plus a charge for the water utilized.

(5) *Testing of meter.* There shall be a forty dollar (\$40.00) charge for meter testing at the customer's request when the meter tests between 97% and 103% accuracy. There shall not be a charge if the meter does not test between 97% and 103% accuracy.

(6) *Replacement/repair.* There shall be a charge of twenty dollars (\$20.00) for replacing water box lids, thirty dollars (\$30.00) for replacing the top section of the water box and forty-five dollars (\$45.00) for replacing the entire water box, plus the cost of excavation.

(7) *Returned check charge.* The returned check charge shall be twenty-five dollars (\$25.00).

(h) This section does not apply to a termination or disruption of water and/or sewer service



due to routine or scheduled maintenance of the water and/or sewer system or to emergency circumstances.

(Ord. 2006-18, passed 11-6-2006; Am. Ord. 2007-28, passed 8-6-2007)

§ 1044.15 WATER SERVICE TO VILLAGE RESIDENTS.

(a) A water tap fee shall be paid by any person or entity for each new service connection to the village water system. The tap fee shall be paid at the time of filing the application to make the service connection.

(b) The water tap fees shall be as follows:

Tap Diameter (Inches)	Tap Fee
3/4	\$ 4,000.00
1	\$ 7,111.00
1 2	\$ 16,000.00
2	\$ 28,444.00
3	\$ 64,000.00
4	\$113,778.00
6	\$256,000.00
8	\$455,111.00

(c) The village shall not allow any master meter arrangements for residential purposes.



(d) When a service line is used for fire protection only, the water tap fees shall be reduced to 30% of the above rate. The service line for fire protection shall be separate from all other service lines. There shall not be any connection between a fire protection system and water system for domestic use.

(Ord. 6-92.3, passed - -1992; Am. Ord. 2006-16, passed 10-2-2006; Am. Ord. 2007-42, passed 11-12-2007)

§ 1044.16 WATER SERVICE TO NON-VILLAGE RESIDENTS.

(a) Any residence outside the corporation of Commercial Point, Ohio will be provided with village water service only after required annexation procedures are followed and tap fees are paid.

(b) After annexation, the residence must be inside the corporation limits and tax district of Commercial Point, Ohio.

(Ord. 6-92.3, passed - -1992)

§ 1044.17 REQUIREMENTS OF NEW CONNECTIONS OUTSIDE VILLAGE LIMITS BY DEVELOPERS.

(a) (1) Prior to the extension of any water, sanitary sewer and/or storm sewer connection outside the municipal corporation limits to serve a new development, the developer or developers of any land to be connected to the municipal water, sanitary sewer and/or storm sewer system of the village shall be required to enter into an annexation agreement with the village under the terms of which the developer or developers of the land to be connected shall consent and agree to sign any and all petitions, forms, or other documents necessary or in conjunction with annexation presented to it by representatives of the Village of Commercial Point, and/or any other land owner desirous of



causing this property to subsequently be annexed to the village at such time as this property becomes contiguous with any portion of the village.

(2) Further, the developer or developers shall include a restriction in all deeds transferring any interests in this land to be connected requiring that the recipient of such conveyance shall also be subject to this requirement regarding annexing the property to the village at such time as the property becomes contiguous to the municipal corporation limits.

(b) Property outside the municipal corporation limits sought to be developed by a developer or developers of the land may be connected to the water, sanitary sewer and/or storm sewer lines of the village only if the capacity of such water, sanitary sewer and/or storm sewer lines are sufficient to accommodate the additional flow increment calculated to become tributary to such sanitary sewer or storm sewer and the water flow is sufficient to provide appropriate water pressure for ordinary household purposes for any additional dwelling as a result of such connection.

(c) The developer or developers of any land to be connected to the existing sanitary sewer and/or storm sewer or to be connected to existing water lines connecting to the village water system shall be required to construct all such sewers and to install all such water lines necessary to serve the developer=s land at its or their own expense, having received approval of detailed plans therefore, from the village and any other governmental agencies.

(d) All such connections as set forth in division (c) of this section shall be installed and inspected by appropriate representatives of the village prior to any and all construction on any building sites which consist of two or more lots.

(e) All such connections set forth in division (c) of this section shall conform to the statutes and regulations of the State of Ohio and the ordinances and regulations of the Village of Commercial



Point relative to construction and use of public sewers and connection and use of the public water system.

(Ord. 00-3, passed 11-6-2000)

**§ 1044.18 REQUIREMENTS OF NEW CONNECTIONS OUTSIDE VILLAGE LIMITS BY
PRIVATE PROPERTY OWNERS.**

(a) (1) A private property owner who is not a developer of any land outside the municipal corporation limits who is desirous of connecting to the existing sanitary sewer and/or storm sewer or to be connected to the existing water lines of the village water system shall, prior to such connection, be required to sign an agreement with the village under the terms of which the property owner as well as his or her heirs, executors, administrators, successors and assigns shall be obligated to consent and agree to sign any and all petitions, forms, or other documents necessary or in conjunction with annexation presented to the property owner by representatives of the Village of Commercial Point and/or any other land owner desirous of causing this property to be annexed to the municipal corporation limits of the village when it becomes contiguous to any portion of the municipal corporation limits.

(2) Further, the property owner shall include a restriction in any subsequent transfers of any interest in property to be connected which requires that the recipient of such conveyance shall also be subject to this requirement regarding annexing the property to the village at such time as the property becomes contiguous to the municipal corporation limits.

(b) Prior to the connection of any private property outside the municipal corporation limits to the sanitary sewer and/or storm sewer or to the existing water lines connected to the village water system, representatives of the village shall first ensure that the capacity of such sanitary sewer and/or storm sewer lines or the water lines are sufficient to accommodate the additional flow increment calculated to be tributary to such sewer and that the water flow is sufficient to provide



appropriate water pressure for ordinary household purposes for any additional dwelling as a result of such connection.

(c) The property owner of any land to be connected to existing sanitary sewer and/or storm sewer or to be connected to existing water lines connected to the village water system shall be required to construct all sewers and to install all such water lines necessary to serve his or her land at his or her own expense, after having received approval of detailed plans therefore from the village and any other governmental agencies.

(d) All such connections as set forth in division (c) of this section shall be installed and inspected by representatives of the village prior to actual connection to the existing sewer or water system of the village.

(e) All such connections as set forth in division (c) of this section shall conform to the statutes and regulations of the State of Ohio and the ordinances and regulations of the Village of Commercial Point relative to construction and use of public sewers and connection and use of the public water system.

(Ord. 00-3, passed 11-6-2000)

§ 1044.99 PENALTY.

(a) *Generally.* Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 202.99.

(b) *Sections 1044.01 through 1044.14.* Whoever violates any provision of §§ 1044.01 through 1044.14 or village directives pursuant to this chapter shall be subject to the remedies of Section 1.14



Penalty.

(Ord. 2100.05, passed 8-27-1984)

(c) Section 1044.15.

(1) No person or entity shall make a service connection or any part thereof to the sanitary sewer system or water system of the Village of Commercial Point unless the proper tap fee or fees have been paid and a permit has been issued by the village to make the service connection to the village sewer or water system.

(2) Whoever violates § 1044.15 is guilty of a misdemeanor of the first degree and shall be fined not more than one thousand dollars (\$1,000.00)

(Ord. 2006-16, passed 10-2-2006; Am. Ord. 2007-42, passed 11-12-2007)



CHAPTER 1046

Water System Use

1046.01 Purpose.	1046.06 Protection for accidental
1046.02 Scope.	contamination or damage.
1046.03 Governing regulations.	1046.07 Unauthorized activities.
1046.04 Definitions.	
1046.05 Prohibited use.	1046.99 Penalty.



CROSS REFERENCES

Power to provide and regulate water systems - see Ohio R.C. 715.08, 717.01, 743.01

Water pollution - see Ohio R.C. 715.08, 743.24

Compulsory water connections - see Ohio R.C. 729.06, 743.23

§ 1046.01 PURPOSE.

The purpose of this chapter is to regulate the use of the water system owned and operated by the village.

(Ord. 2100.05, passed 8-27-1984)

§ 1046.02 SCOPE.

The scope of this chapter is to establish the criteria for the use of the water system.

(Ord. 2100.05, passed 8-27-1984)

§ 1046.03 GOVERNING REGULATIONS.

Where there appears to be, or there is in fact, a conflict between this chapter and Chapter 1, General Provisions, the chapter providing the more stringent requirement, standard, or procedure shall govern.

(Ord. 2100.05, passed 8-27-1984)

§ 1046.04 DEFINITIONS.



The definition of Chapter 1 shall be used in this chapter unless the context of any section of this chapter specifically indicates that such definitions are not applicable.

(Ord. 2100.05, passed 8-27-1984)

§ 1046.05 PROHIBITED USE.

No person shall connect any pipe or conduit which directly or indirectly connects the village water system to:

(a) Any pipe or conduit containing, or intended to contain any liquid or material that would be or could be injurious to the customer=s health or welfare, injurious to the water system, or contaminate the water provided by the village;

(b) Any private well system or other private source of water, or any system of liquid conveyance such as sewer drains or tiles;

(c) Any pond, lake, pool, or any devices therein, without village approved backflow protection;
or

(d) Any system that serves buildings other than the buildings for which the service was obtained.

(Ord. 2100.05, passed 8-27-1984)

§ 1046.06 PROTECTION FOR ACCIDENTAL CONTAMINATION OR DAMAGE.

(a) Each customer of the water system shall protect the portion of the system on their premises from damage or contamination.



(b) Any person in charge of or responsible for a process, use or activity that causes or produces damage, or adds compounds, elements or materials to the water, or otherwise contaminates the water in the village water system shall immediately notify the village.

(c) Such notification will not relieve the responsible person of liability for any consequential expense, loss or damage to the water system, or injury or disease to person(s) using the water service.

(Ord. 2100.05, passed 8-27-1984)

§ 1046.07 UNAUTHORIZED ACTIVITIES.

No customer or person shall cause, permit or add any material additives or compounds to the water provided by the village without obtaining prior village approval.

(Ord. 2100.05, passed 8-27-1984)

§ 1046.99 PENALTY.

Missing material.....

(Ord. 2100.05, passed 8-27-1984)



CHAPTER 1048

Backflow; Cross-Connection Control

1048.01	Cross connection control; general facility.	1048.07	Type of protection required.
1048.02	Definitions.	1048.08	Backflow prevention devices.
1048.03	Water system.	1048.09	Installation.
1048.04	Cross-connections prohibited.	1048.10	Inspection and maintenance.
1048.05	Survey and investigations.	1048.11	Booster pumps.
1048.06	Where protection is required.	1048.99	Penalty.



CROSS REFERENCES

Compulsory sewer connections - see Ohio R.C. 729.06

Sewerage rates - see Ohio R.C. 729.49

Regulations to control house sewers and connections - see Ohio R.C. 729.51

Interference with sewage flow - see Ohio R.C. 4933.24

§ 1048.01 CROSS CONNECTION CONTROL; GENERAL FACILITY.

(a) *Purpose.* The purpose of this chapter is:

(1) To protect the public potable water supply from contamination or pollution by isolating within the consumer=s water system contaminants or pollutants which could backflow through the service connection into the public potable water system;

(2) To promote the elimination or control of existing cross-connections, actual or potential, between the public or consumer=s potable water system and non-potable water systems, plumbing fixtures and sources or systems containing process fluids; and

(3) To provide for the maintenance of a continuing program of cross-connection control which will systematically and effectively prevent the contamination or pollution of the public and consumer=s potable water systems.

(b) *Application.* This chapter shall apply to all premises served by the public potable water system of the Village of Commercial Point.



(c) *Policy.*

(1) The Superintendent of Water shall be responsible for the protection of the public potable water system from contamination due to backflow of contaminants through the water service connection.

(2) If, in the judgment of the Superintendent of Water, an approved backflow prevention device is necessary at the water service connection to any consumer=s premises for the safety of the water system, the Superintendent of Water or his or her authorized representative shall give notice to the consumer to install such approved backflow prevention device at each service connection to his or her premises.

(3) The consumer shall immediately install such approved device or devices at his or her own expense, and failure, refusal or inability on the part of the consumer to install such device or devices immediately shall constitute grounds for discontinuing water service to the premises until such device or devices have been installed.

(Ord. 2200.21, passed 2-5-1996)

§ 1048.02 DEFINITIONS.

For the purposes of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

AIR GAP SEPARATION. The unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying water to a tank, plumbing fixture, or other device and the flood level rim of the receptacle.



APPROVED. That a backflow prevention device or method has been accepted by the supplier of water and the director as suitable for the proposed use.

AUXILIARY WATER SYSTEM.

(1) Any water system on or available to the premises other than the public water system and includes the water supplied by the system.

(2) These auxiliary waters may include water from another supplier=s public water system; or water from a source such as wells, lakes, or streams; or process fluids; or used water. They may be polluted or contaminated or objectionable or constitute a water source or system over which the supplier of water does not have control.

BACKFLOW. The flow of water or other liquids, mixtures, or substances into the distributing pipes of a potable water supply from any source other than the intended source of the potable water supply.

BACKFLOW PREVENTION DEVICE. Any device, method, or type of construction intended to prevent backflow into a potable water system.

CONSUMER. The owner or person in control of any premises supplied by or in any manner connected to a public water system.

CONSUMER'S WATER SYSTEM.

(1) Any water system, located on the consumer=s premises, supplied by or in any manner connected to a public water system.



(2) A household plumbing system is considered to be a *CONSUMER'S WATER SYSTEM*.

CONTAMINATION. An impairment of the quality of the water by sewage or process fluid or waste to a degree which could create an actual hazard to the public health through poisoning or through spread of disease by exposure.

CROSS-CONNECTION. Any arrangement whereby backflow can occur.

DEGREE OF HAZARD. Is a term derived from an evaluation of the potential risk to health and the adverse effect upon the potable water system.

DIRECTOR. The Director of the Ohio Environmental Protection Agency or his or her duly authorized representative.

DOUBLE CHECK VALVE ASSEMBLY. An assembly composed of two single, independently acting, check valves including tightly closing shutoff valves located at each end of the assembly and suitable connections for testing the water-tightness of each check valve.

HEALTH HAZARD.

(1) Any condition, device, or practice in a water system or its operation that creates, or may create, a danger to the health and well-being of users.

(2) The word *SEVERE* as used to qualify *HEALTH HAZARD* means a hazard to the health of the user that could reasonably be expected to result in significant morbidity or death.



INTERCHANGEABLE CONNECTION. An arrangement or device that will allow alternate but not simultaneous use of two sources of water.

NON-POTABLE WATER. Water not safe for drinking, personal, or culinary use.

PERSON. The state, any political subdivision, public or private corporation, individual, partnership, or other legal entity.

POLLUTION. The presence in water of any foreign substance that tends to degrade its quality so as to constitute a hazard or impair the usefulness or quality of the water to a degree which does not create an actual hazard to the public health but which does adversely and unreasonably affect such waters for domestic use.

POLLUTION HAZARD. A condition through which an aesthetically objectionable or degrading material not dangerous to health may enter the public water system or a potable consumer=s water system.

POTABLE WATER. Water which is satisfactory for drinking, culinary, and domestic purposes and meets the requirements of the Ohio Environmental Protection Agency.

PROCESS FLUIDS.

(1) Any fluid or solution which may be chemically, biologically or otherwise contaminated or polluted in a form or concentration such as would constitute a health, pollutional, or system hazard if introduced into the public or a potable consumer=s water system.

(2) This includes, but is not limited to:



- A. Polluted or contaminated waters;
- B. Process waters;
- C. Used waters originating from the public water system which may have deteriorated in sanitary quality;
- D. Cooling waters;
- E. Contaminated natural waters taken from wells, lakes, streams, or irrigation systems;
- F. Chemicals in solution or suspension; or
- G. Oils, gases, acids, alkalis and other liquid and gaseous fluids used in industrial or other processes, or for fire fighting purpose.

PUBLIC WATER SYSTEM. Has the meaning ascribed to such term in Ohio R.C. §§ 6109.01 and 6109.02.

REDUCED PRESSURE PRINCIPLE BACKFLOW PREVENTION DEVICE.

- (1) A device containing a minimum of two independently acting check valves together with an automatically operated pressure differential relief valve located between two check valves.
- (2) During normal flow and at the cessation of normal flow, the pressure between these two checks shall be less than the supply pressure.



(3) In case of leakage of either check valve, the differential relief valve, by discharging to the atmosphere, shall operate to maintain the pressure between the check valves at less than the supply pressure.

(4) The unit must include tightly closing shutoff valves located at each end of the device, and each device shall be fitted with properly located test cocks.

SERVICE CONNECTION.

(1) The terminal end of a service line from the public water system.

(2) If a meter is installed at the end of the service, then the ***SERVICE CONNECTION*** means the downstream end of the meter.

SUPPLIER OF WATER. The owner or operator of a public water system.

SYSTEM HAZARD. A condition posing an actual or potential threat of damage to the physical properties of the public water system or a potable consumer=s water system.

USED WATER. Any water supplied by a supplier of water from a public water system to a consumer=s water system after it has passed through the service connection and is no longer under the control of the supplier.

(Ord. 2200.21, passed 2-5-1996)

§ 1048.03 WATER SYSTEM.



(a) The water system shall be considered as made up of two parts:

(1) The public potable water system; and

(2) The consumer=s water system.

(b) The public potable water system shall consist of the source facilities and the distribution system, and shall include all those facilities of the potable water system under the control of the Superintendent of Water up to the point where the consumer's water system begins.

(c) The source shall include all components of the facilities utilized in the production, treatment, storage and delivery of water to the public distribution system.

(d) The public distribution system shall include the network of conduits used for delivery of water from the source to the consumer=s water system.

(e) The consumer=s water system shall include those parts of the facilities beyond the service connection which are utilized in conveying water from the public distribution system to points of use.
(Ord. 2200.21, passed 2-5-1996)

§ 1048.04 CROSS-CONNECTIONS PROHIBITED.

(a) No water service connection shall be installed or maintained to any premises where actual or potential cross-connections to the public potable or consumer=s water system may exist unless such actual or potential cross-connections are abated or controlled to the satisfaction of the Superintendent of Water.



(b) No connection shall be installed or maintained whereby water from an auxiliary water system may enter a public potable or consumer=s water system unless such auxiliary water system and the method of connection and use of such system shall have been approved by the Superintendent of Water and by the Director of the Ohio Environmental Protection Agency as required by Ohio R.C. § 6109.13.

(Ord. 2200.21, passed 2-5-1996)

§ 1048.05 SURVEY AND INVESTIGATIONS.

(a) The consumer=s premises shall be open at all reasonable times to the Superintendent of Water, or his or her authorized representative, for the conduction of surveys and investigations of water use practices within the consumer=s premises to determine whether there are actual or potential cross-connections to the consumer=s water system through which contaminants or pollutants could backflow into the public potable water system.

(b) On request by the Superintendent of Water, or his or her authorized representative, the consumer shall furnish information on water use practices within his or her premises.

(c) It shall be the responsibility of the water consumer to conduct periodic surveys of water use practices on his or her premises to determine whether there are actual or potential cross-connections in his or her water system through which contaminants or pollutants could backflow into his or the public potable water system.

(Ord. 2200.21, passed 2-5-1996)

§ 1048.06 WHERE PROTECTION IS REQUIRED.



(a) An approved backflow prevention device shall be installed on each service line to a consumer's water system serving premises, where in the judgment of the Superintendent of Water or the Director, actual or potential hazards to the public potable water system exist.

(b) An approved backflow prevention device shall be installed on each service line to a consumer's water system serving premises where the following conditions exist:

(1) Premises having an auxiliary water system, unless such auxiliary system is accepted as an additional source by the Superintendent of Water and the source is approved by the Director of the Ohio Environmental Protection Agency;

(2) A. Premises on which any substance is handled in such a fashion as to create an actual or potential hazard to the public potable water system.

B. This shall include premises having sources or systems containing process fluids or waters originating from the public potable water system which is no longer under the sanitary control of the Superintendent of Water;

(3) Premises having internal cross-connections that, in the judgment of the Superintendent of Water, are not correctable, or intricate plumbing arrangements which make it impractical to determine whether or not cross-connections exist;

(4) Premises where, because of security requirements or other prohibitions or restrictions, it is impossible or impractical to make a completion cross-connection survey;

(5) Premises having a repeated history of cross-connections being established or reestablished; and



(6) Others specified by the Superintendent of Water or the Director.

(c) An approved backflow prevention device shall be installed on each service line to a consumer=s water system serving, but not necessarily limited to, the following types of facilities unless the Superintendent of Water or the Director determines that no actual or potential hazard to the public potable water system exists:

- (1) Hospitals, mortuaries, clinics, nursing homes;
- (2) Laboratories;
- (3) Piers, docks, waterfront facilities;
- (4) Sewage treatment plants, sewage pumping stations or storm water pumping stations;
- (5) Food or beverage processing plants;
- (6) Chemical plants;
- (7) Metal plating industries;
- (8) Petroleum processing or storage plants;
- (9) Radioactive material processing plants or nuclear reactors;
- (10) Car washes; and



(11) Others specified by the Superintendent of Water or the Director.

(d) An approved backflow prevention device shall be installed at any point of connection between the public potable or consumer=s water system and an auxiliary water system, unless such auxiliary system is accepted as an additional source by the Superintendent of Water and the source is approved by the Director of the Ohio Environmental Protection Agency.

(Ord. 2200.21, passed 2-5-1996)

§ 1048.07 TYPE OF PROTECTION REQUIRED.

(a) The type of protection required under §§ 1048.06(a), (b) and (c) of these regulations shall depend on the degree of hazard which exists as follows:

(1) An approved air gap separation shall be installed where the public potable water system may be contaminated with substances that could cause a severe health hazard;

(2) An approved air gap separation or an approved reduced pressure principle backflow prevention device shall be installed where the public potable water system may be contaminated with any substance that could cause a system or health hazard; and

(3) An approved air gap separation or an approved reduced pressure principle backflow prevention device or an approved double check valve assembly shall be installed where the public potable water system may be polluted with substances that could cause a pollutional hazard not dangerous to health.

(b) The type of protection required under § 1048.06(d) of these regulations shall be an approved air gap separation or an approved interchangeable connection.



(c) Where an auxiliary water system is used as a secondary source of water for a fire protection system, the provisions of division (b) above for an approved air gap separation or an approved interchangeable connection may not be required, provided:

(1) At premises where the auxiliary water system may be contaminated with substances that could cause a system or health hazard, the public or consumer=s potable water system shall be protected against backflow by installation of an approved reduced pressure principle backflow prevention device;

(2) At all other premises, the public or consumer=s potable water system shall be protected against backflow by installation of either an approved reduced pressure principle backflow prevention device or an approved double check valve assembly;

(3) The public or consumer=s potable water system shall be the primary source of water for the fire protection system;

(4) The fire protection system shall be normally filled with water from the public or consumer=s potable water system;

(5) The water in the fire protection system shall be used for fire protection only, with no regular use of water from the fire protection system downstream from the approved backflow prevention device; or

(6) The water in the fire protection system shall contain no additives.

(Ord. 2200.21, passed 2-5-1996)

§ 1048.08 BACKFLOW PREVENTION DEVICES.



(a) Any backflow prevention device required by these rules and regulations shall be of a model or construction approved by the Superintendent of Water and the Director and shall comply with the following.

(1) An air gap separation, to be approved, shall be at least twice the diameter of the supply pipe, measured vertically above the top rim of the vessel, but in no case less than one inch.

(2) A double check valve assembly or a reduced pressure principle backflow prevention device shall be approved by the Superintendent of Water, and shall appear on the current list of approved backflow prevention devices of the Ohio Environmental Protection Agency.

(3) A. An interchangeable connection, to be approved, shall be either a swing type connector or a four-way valve of the lubricated plug type that operates through a mechanism which unseats the plug, turns it 90 degrees and reseats the plug.

B. Four-way valves shall not be used as stop valves but must have separate stop valves on each pipe connected to the valve.

C. The telltale port on the four-way valve shall have no piping connected and the threads or flange on this port shall be destroyed so that a connection cannot be made.

(b) (1) Existing backflow prevention devices approved by the Superintendent of Water or the Director of the Ohio Environmental Protection Agency at the time of installation and properly maintained shall, except for inspection, testing and maintenance requirements, be excluded from the requirement of division (a) above of this regulation providing the Superintendent of Water is assured that they will satisfactorily protect the public potable water system.



(2) Whenever the existing device is moved from the present location or requires more than minimum maintenance or when the Superintendent of Water finds that the maintenance of the device constitutes a hazard to health, the device shall be replaced by a backflow prevention device meeting the requirements of these regulations.

(Ord. 2200.21, passed 2-5-1996)

§ 1048.09 INSTALLATION.

(a) (1) Backflow prevention devices required by these rules and regulations shall be installed at a location and in a manner approved by and at the expense of the water consumer.

(2) In addition, any backflow prevention device required by § 1048.07(b) and (c) of these regulations shall be installed at a location and in a manner approved by the Director of the Ohio Environmental Protection Agency as required by Ohio R.C. § 6109.13 of the Ohio Revised Code.

(b) Backflow prevention devices installed on the service line to a consumer's water system shall be located on the consumer's side of the water meter, as close to the meter as is reasonably practical, and prior to any other connection.

(c) (1) Pits or vaults shall be of water-tight construction, be so located and constructed as to prevent flooding and shall be maintained free from standing water by means of either a sump and pump or a suitable drain.

(2) Such sump pump or drain shall not connect to a sanitary sewer nor permit flooding of the pit or vault by reverse flow for its point of discharge.

(3) An access ladder and adequate natural or artificial lighting shall be provided to permit



maintenance, inspection and testing of the backflow prevention device.

(d) Reduced pressure principle backflow prevention devices must be installed above ground level or floor level, whichever is higher.

(Ord. 2200.21, passed 2-5-1996)

§ 1048.10 INSPECTION AND MAINTENANCE.

(a) It shall be the duty of the consumer at any premises on which backflow prevention devices required by these regulations are installed to have inspections, tests, and overhauls made in accordance with the following schedule, or more often where inspections indicate a need:

(1) Air gap separations shall be inspected at the time of installation and at least every 12 months thereafter;

(2) A. Double check valve assemblies shall be inspected and tested for tightness at the time of installation and at least every 12 months thereafter.

B. They shall be dismantled, inspected internally, cleaned and repaired whenever needed and at least every 30 months;

(3) A. Reduced pressure principle backflow prevention devices shall be inspected and tested for tightness at the time of installation and at least every 12 months thereafter.

B. They shall be dismantled, inspected internally, cleaned and repaired whenever needed and at least every five years; and

(4) Interchangeable connections shall be inspected at the time of installation and at least



every 12 months thereafter.

(b) Inspections, tests, and overhauls of backflow prevention devices shall be made at the expense of the water consumer and shall be performed by the Superintendent of Water or a person approved by the Superintendent of Water as qualified to inspect, test and overhaul backflow prevention devices.

(c) Whenever backflow prevention devices required by these regulations are found to be defective, they shall be repaired, overhauled or replaced at the expense of the consumer without delay.

(d) (1) The water consumer must maintain a complete record of each backflow prevention device from purchase to retirement.

(2) This shall include a comprehensive listing that includes a record of all tests, inspections, repairs and overhauls.

(3) Records of inspections, tests, repairs and overhaul shall be submitted to the Superintendent of Water.

(e) Backflow prevention devices shall not be bypassed, made inoperative, removed or otherwise made ineffective without specific authorization by the Superintendent of Water.

(Ord. 2200.21, passed 2-5-1996)

§ 1048.11 BOOSTER PUMPS.

(a) Where a booster pump has been installed on the service line to or within any premises,



such pump shall be equipped with a low pressure cut-off device designed to shut-off the booster pump when the pressure in the service line on the suction side of the pump drops to ten pounds per square inch gauge or less.

(b) It shall be the duty of the water consumer to maintain the low pressure cut-off device in proper working order and to certify to the Superintendent of Water, at least once a year, that the device is operating properly.

(Ord. 2200.21, passed 2-5-1996)

§ 1048.99 PENALTY.

(a) The Superintendent of Water shall deny or discontinue, after reasonable notice to the occupants thereof, the water service to any premises wherein any backflow prevention device required by these regulations is not installed, tested and maintained in a manner acceptable to the Superintendent of Water, or if it is found that the backflow prevention device has been removed or by-passed, or if an unprotected cross-connection exists on the premises, or if a low pressure cut-off required by these regulations is not installed and maintained in working order.

(b) Water services to such premises shall not be restored until the consumer has corrected or eliminated such conditions or defects in conformance with these regulations and to the satisfaction of the Superintendent of Water. (Ord. 2200.21, passed 2-5-1996)

CHAPTER 1050

Property Owners

1050.01 Upon annexation.

1050.02 Water and sewer service provided to properties located outside the municipal corporation boundaries.



CROSS REFERENCES

Compulsory sewer connections - see Ohio R.C. 729.06

Sewerage rates - see Ohio R.C. 729.49

Regulations to control house sewers and connections - see Ohio R.C. 729.51

Interference with sewage flow - see Ohio R.C. 4933.24

§ 1050.01 UPON ANNEXATION.

Upon annexation to the village, or upon connection to the village sewer and water systems, any property owner located on the boundary of existing water or sewer lines is hereby required to extend such lines along the front perimeter of the property at the owner=s expense.

(Ord. 2005-25, passed 12-5-2005)

**§ 1050.02 WATER AND SEWER SERVICE PROVIDED TO PROPERTIES LOCATED
OUTSIDE THE MUNICIPAL CORPORATION BOUNDARIES.**

(a) The sanitary sewer rates as set forth in previous sections of these regulations which established the current rate schedule for users of the sanitary sewerage system of the village is hereby amended and there is hereby charged to each such user situated outside of the municipal corporation limits of the Village of Commercial Point having an active sewer connection with the sewerage system of the village or otherwise discharging sewage, industrial wastes, water or other liquids, either directly or indirectly, into the village sewerage system, a 35% surcharge which shall be in excess of and in addition to the amounts set forth on the schedule of sanitary sewer rates for such services provided to users of the sewerage system within the village corporation limits.



(b) The water rates as set forth in previous sections of these regulations which established the current rate schedule for users of the water system of the village is hereby amended and there is hereby charged to each such user of water situated outside the municipal corporation limits of the Village of Commercial Point having an active connection with the water system of the village a 35% surcharge which shall be in excess of and in addition to the amount set forth on the schedule of water rates for such services provided for users of water within the village corporation limits.

(c) This additional 35% surcharge to the sanitary sewer rate schedules and water rate schedules of the village for users of the sanitary sewerage system and water system situated outside the municipal corporation limits shall be placed in effect and shall apply to all meter readings occurring on or after November 7, 1994.

(Ord. 2208, passed 11-7-1994)



CHAPTER 1052

Meters

1052.01 Eliminating the use of master
meters.

1052.02 Procedures for the inspection,
testing and repair of water
meters.



CROSS REFERENCES

Power to provide and regulate water systems - see Ohio R.C. 715.08, 717.01, 743.01

Water pollution - see Ohio R.C. 715.08, 743.24

Compulsory water connections - see Ohio R.C. 729.06, 743.23

§ 1052.01 ELIMINATING THE USE OF MASTER METERS.

(a) The use of master meters for collection of water and sewer rents for new residential units located in the village service area is hereby eliminated.

(b) All residents of new residential units located in the village service area, including single family units, two family units, low density apartment units and mobile home residential units under §§ 1262.02, 1262.03, 1262.04, and 1262.05, respectively, of the Zoning Code of the village, are hereby required to purchase sewer and water taps with individual meters.

(Ord. 2005-24, passed 12-5-2005)

§ 1052.02 PROCEDURES FOR THE INSPECTION, TESTING AND REPAIR OF WATER METERS.

(a) Upon written request of an owner or consumer who feels that the water meter serving his or her property is inaccurate, an employee of the village water works system shall remove the meter for proper testing to determine its accuracy.

(b) If, upon examination and testing, it is found that the meter so tested is determined to have an error in registration in excess of ten percent of its normal rated capacity, then the meter shall be



repaired to register correctly, and a proper reduction shall be made on the water bill of such consumer.

(c) If, upon examination and testing, it is found that the meter registers within 10% of its normal rated capacity, then no adjustment will be made to the consumer billing and the consumer shall be charged for the cost of the meter test.

(d) Prior to the testing of any meters at the consumer=s request, a charge of forty-five dollars (\$45.00) shall be paid by the consumer in advance of the test to be applied to the costs associated with the meter testing.

(e) In the event that the meter so tested is found to have an error in registration in excess of 10% of its normal rated capacity, then this charge shall be refunded and any disputed bill shall be corrected accordingly.

(Ord. 02-15, passed - -2002)



CHAPTER 1054

Dry Water Taps and Sewer Taps

1054.01 General provisions.



CROSS REFERENCES

Power to provide and regulate water systems - see Ohio R.C. 715.08, 717.01, 743.01

Water pollution - see Ohio R.C. 715.08, 743.24

Compulsory water connections - see Ohio R.C. 729.06, 743.23

§ 1054.01 GENERAL PROVISIONS.

(a) (1) Any person who has acquired or purchased a water or sewer tap from the Village of Commercial Point after the effective date of this section, and who does not put such tap into use or service by connecting the tap to the public utility systems of the village within two years after paying for the tap, shall pay the minimum monthly service charge for each such tap as established by the ordinances of the village.

(2) Upon expiration of the two year period, the village shall begin sending the monthly water or sewer bill to any person who has not connected the tap to a village utility system.

(b) (1) Within 30 days after receiving the first bill from the village for a tap which has not been placed into service or use as set forth in division (a) above of this chapter, the property owner may elect to forfeit the tap and the tap fee previously paid instead of paying the minimum monthly service charge for such tap.

(2) In order to make this election, the property owner shall notify the village in writing that the tap is to be forfeited within the 30-day period set forth in this division.

(c) This section shall not apply to any sewer or water tap which is governed by a contract or



agreement entered into by the village for multiple taps for a proposed subdivision or other development or with any political subdivision.

(Ord. 4-92.4, passed 6-1-1992)



CHAPTER 1056

Water Availability During Emergencies

1056.01	Authority to declare emergency.	1056.04	Disconnection of service for
1056.02	Watering restrictions and regulations.		violation.
1056.03	Violations of regulations prohibited.	1056.99	Penalty.



CROSS REFERENCES

Power to provide and regulate water systems - see Ohio R.C. 715.08, 717.01, 743.01

§ 1056.01 AUTHORITY TO DECLARE EMERGENCY.

(a) The Mayor and/or Village Administrator are hereby authorized to declare that a state of water availability emergency exists when, from time to time, the Mayor and/or Village Administrator reasonably determines that there is a shortage of water in or available to the village=s water service system such that certain restrictions on the use of water from such system during such time are reasonably necessary to protect the public health, safety and welfare of the inhabitants of the village and the water system service consumers.

(b) Examples of situations which create such an emergency include, but are not limited to, the following:

- (1) A water main break;
- (2) Any physical or mechanical failure at the water treatment plant;
- (3) Dry or drought conditions; or
- (4) Restriction of water supply by state or federal authorities.

(Ord. 02-14, passed 9-9-2002)



§ 1056.02 WATERING RESTRICTIONS AND REGULATIONS.

(a) (1) The Mayor and/or Village Administrator are hereby authorized to prescribe such regulations, limitations and prohibitions of water use from the village's water service system during a state of water availability emergency as the Mayor determines and/or Village Administrator are reasonably necessary to protect the public health, safety and welfare of the inhabitants of the village and the water system users.

(2) Such regulations limitations and prohibitions may be changed and modified by the Mayor and/or Village Administrator from time to time during such state of water availability emergency as the Mayor and/or Village Administrator determine to be necessary and prudent.

(b) During a water emergency, non-essential uses of water including, but not limited to, the following may be restricted, regulated or otherwise prohibited as provided in this chapter:

(1) Watering or sprinkling of any lawn, tree, shrub, flower, garden or part hereof, or for any similar purpose;

(2) The commercial and residential use of water to wash boats, cars, trucks and other vehicles;

(3) Filling swimming pools;

(4) Watering from hydrants;

(5) Washing sidewalks, driveways, porches and building exteriors;



- (6) The sterilization, blow-off and testing of water lines and sewer mains; or
- (7) The burning of paper, trash, wood, or other combustible materials.

(c) The Mayor and/or Village Administrator, in exercise of his or her reasonable discretion, may provide special consideration, including exemption for the following business related uses and purposes:

- (1) Commercial car wash;
- (2) Sod farms; and
- (3) Commercial lawn and garden centers.

(d) (1) Upon declaration of and during the existence of a water emergency, the Mayor and/or Village Administrator is hereby authorized and directed to determine which non-essential uses of water shall be restricted or prohibited.

(2) Such declaration shall be made public by publication thereof in a newspaper of general circulation in the village, by posting notice at the municipal building and by giving notice to local media.

(Ord. 02-14, passed 9-9-2002)

§ 1056.03 VIOLATIONS OF REGULATIONS PROHIBITED.

During the period of water availability emergency declared by the Mayor and/or Village Administrator, no person, corporation, partnership, association or other legal entity shall use water



supplied from the village=s water service system for any purpose in violation of or contrary to regulations, limitations or prohibitions of water use as are promulgated by the Mayor and/or Village Administrator pursuant to § 1056.02.

(Ord. 02-14, passed 9-9-2002)

§ 1056.04 DISCONNECTION OF SERVICE FOR VIOLATION.

(a) In addition to any fine and incarceration which may be imposed, upon a finding that water from the village=s water service system has been used in willful violation of § 1056.03, with the knowledge and consent of the owner or lessee of the property from which the water is used, the court may order termination of water service from the village=s water service system to the property where the violation is found to have occurred for such time as the court determines, but not to exceed the period of the water availability emergency.

(b) If service is terminated pursuant to order of the court, it shall not be reconnected or restored until application for reconnection, accompanied with the reconnection fee, by the property owner or his or her agent is made to the Water Department as with all other reconnections of water service.
(Ord. 02-14, passed 9-9-2002)

§ 1056.99 PENALTY.

(a) Each person, corporation, partnership, association or legal entity found to be in violation of a first offense of § 1056.03 shall be guilty of a minor misdemeanor.

(b) A second offense in violation of § 1056.03 during the state of water availability emergency shall constitute a misdemeanor of the fourth degree.



(c) A third or any subsequent offense in violation of § 1056.03 during the state of water availability emergency shall constitute a misdemeanor of the third degree.

(Ord. 02-14, passed 9-9-2002)



TITLE SIX - Other Public Services

Chap. 1080. Solid Waste.

Chap. 1082. Street Lighting.

CHAPTER 1080

Solid Waste

1080.01 Rates and fees.

1080.02 Solid waste management plan
of the Ross, Pickaway, Highland
and Fayette Joint Solid Waste
Management District.



CROSS REFERENCES

Collection and disposal of garbage and rubbish - see Ohio R.C. 715.43, 717.01

Employment of scavengers - see Ohio R.C. 3707.39

Littering - see TRAF. 432.42; GEN. OFF. 660.03

Filthy accumulations - see GEN. OFF. 660.04

Open burning - see GEN. OFF. 660.08

§ 1080.01 RATES AND FEES.

(a) *Rates.*

(1) Effective January 1, 2007 through December 31, 2007 the service charges to be charged residential customers shall be ten dollars and 50 cents (\$10.50) per month, with the exception of senior citizens.

(2) Effective January 1, 2007 through December 31, 2007 the senior citizen rate to be charged residential customers shall be ten dollars (\$10.00) per month.

(b) *Solid Waste Collection Fund.*

(1) A. There shall be, and hereby is, charged to each subscriber household being provided with collection and disposal services for residential solid waste within the Village of Commercial Point, Pickaway County, Ohio, a monthly service charge equal to the rate which the company awarded the exclusive franchise charges to the village for each household using such collection and disposal services.



B. In addition to the above monthly service charge, there shall also be assessed to each subscriber household being provided with collection and disposal services for residential solid waste, a fee of one dollar (\$1.00) per month to cover the cost incurred by the village in administering the billing and collection of such accounts and for the cost of street and alley repair associated with providing these services.

C. 1. The monthly service charges together with the administrative/street repair costs shall be included on each subscriber household's monthly water and sewage bill and shall be payable under the same terms and conditions as the current water and sewage billing.

2. Further, collection and disposal services may be suspended and reinstated under the same terms and conditions as are applied to the collection of water and sewer charges.

(2) A. There is hereby established a separate fund designated as the Solid Waste Collection Fund to be used for the deposit of all funds received from the collection of rates and charges for residential solid waste including the administrative/street repair costs.

B. This fund shall be used solely for payment of any charges to the village by the company awarded the exclusive franchise for the collection and disposal of residential solid waste, any costs to the village to administer the billing and collection of residential solid waste accounts and any costs for the maintenance, repair and replacement of any streets associated with providing these collection and disposal services to the citizens of the village.

(3) The rates and charges for the collection and disposal services for residential solid waste as set forth in this division including any administrative/street repair costs shall be placed in effect and shall apply to all subscriber households of these services occurring on or after April 1, 1999. (Ord. 11-89.1, passed 11-6-1989; Am. Ord. 99-1, passed 3-1-1999; Am. Ord. 04-27, passed 11-15-2004; Am. Ord. 2005-29, passed 12-5-2005; Am. Ord. 2006-27, passed 12-4-2006)



**§ 1080.02 SOLID WASTE MANAGEMENT PLAN OF THE ROSS, PICKAWAY, HIGHLAND
AND FAYETTE JOINT SOLID WASTE MANAGEMENT DISTRICT.**

(a) The Board of Directors (Board) of the Ross, Pickaway, Highland, Fayette Joint Solid Waste Management District (District) has established and convened a Solid Waste Management Policy Committee in accordance with Ohio R.C. § 3734.54 (Policy Committee) to prepare a Solid Waste Management Plan for the District as required by Ohio R.C. § 3734.54 (Plan) and all revisions of the Plan pursuant to Ohio R.C. §§ 3734.54 and 3734.56.

(b) The Policy Committee is authorized by Ohio R.C. § 3734.573(A) to levy a fee on the generation of solid wastes within the District for the purposes provided in Ohio R.C. § 3734.573(A).

(c) The Policy Committee has adopted and submitted to this Council a resolution adopting a proposed generation fee on the generation of solid wastes within the District.

(d) The Council is required by Ohio R.C. § 3734.57 to approve or disapprove the proposed generation fee and has been requested to approve that fee.

(e) The proposed generation fee adopted by the Policy Committee to be levied under Ohio R.C. § 3734.573(A) upon the generation of solid wastes within the District is hereby approved.

(f) The Council finds and determines that all formal actions of this Council concerning and relating to the passage of this section were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.



(Ord. 3-92-3, passed 3-2-1992; Am. Ord. 2207, passed 7-11-1994; Am. Ord. 2200.15, passed 8-7-1995; Am. Ord. 98-4, passed 10-12-1998; Am. Ord. 2005-28, passed 12-5-2005)



CHAPTER 1082

Street Lighting

1082.01 Purpose.

1082.02 Location.

1082.03 New poles.

1082.04 Paid from street lighting funds.



CROSS REFERENCES

City consent for electrical fixtures and lines on public property - see Ohio R.C. 715.27, 4933.03, 4933.13, 4933.16

Power to regulate electric rates - see Ohio R.C. 743.26, 743.28, 4909.34 et seq.

Contract for electricity - see Ohio R.C. 743.38, 4933.04

Electric companies - see Ohio R.C. Ch. 4933

§ 1082.01 PURPOSE.

The Council of the village for the safety and well-being of the village shall increase the street lighting.

(Ord. 1-8-70, passed 8-3-1970; Am. Ord. 11-2-71, passed 11-15-1971; Am. Ord. 11-3-71, passed 11-15-1971; Am. Ord. 5-11-72, passed 11-6-1972)



§ 1082.02 LOCATION.

<i>Number of Lights</i>	<i>Location</i>
One light	South Street on West Street intersection
One light	North Street on West Street intersection
One light	At the cross of two unnamed alleys, one alley running north from Scioto Street to Assyrian Street: other alley running east from Belshazzer Street to Cyrus Street
One light	Brown Street erected halfway between Front Street on East and Main Street West
Three lights	Scioto Street erected between the corporation limits to the west and the school property to the east
One light	First Street on Harsh Alley intersection
One light	Second Street on Harsh Alley intersection
One light	On Harsh Alley erected halfway between First Street on the east and Second Street on the west
One light	Third Street on Harsh Alley intersection
One light	Harsh Alley erected halfway between Second Street on the east and Third Street on the west

(Ord. 1-8-70, passed 8-3-1970; Am. Ord. 11-2-71, passed 11-15-1971; Am. Ord. 11-3-71, passed 11-15-1971; Am. Ord. 5-11-72, passed 11-6-1972)

§ 1082.03 NEW POLES.

All addition lights shall be erected on new poles.



(Ord. 1-8-70, passed 8-3-1970; Am. Ord. 11-2-71, passed 11-15-1971; Am. Ord. 11-3-71, passed 11-15-1971; Am. Ord. 5-11-72, passed 11-6-1972)

§ 1082.04 PAID FROM STREET LIGHTING FUNDS.

Increased costs shall be paid from existing street lighting funds.

(Ord. 1-8-70, passed 8-3-1970; Am. Ord. 11-2-71, passed 11-15-1971; Am. Ord. 11-3-71, passed 11-15-1971; Am. Ord. 5-11-72, passed 11-6-1972)